

Notice of Allowability

Application No.

10/807,995

Examiner

Nam Huynh

Applicant(s)

ORMSON, RICHARD

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/11/07.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4/11/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


GEORGE ENG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/11/2007 has been entered.

Response to Amendment

This office action is in response to amendment filed on 5/11/2007. Of the previously presented claims 1-17, claims 1 and 10 have been amended.

Allowable Subject Matter

2. Claims 1-17 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The present application pertains to a method for use in network acquisition, or cell search, of a cellular radio communications device. The object of the invention is to provide an advantageously high range of rapid cell acquisitions by limiting the number of stored cells.

The novelty of the claimed invention, with respect to independent claim 1, lies in performing a cell search based on a list generated by "storing details of the cell, as cell information, to which the device was connected at the time of loss of the network for at least prior first and second separate instances of network loss". This aspect of the

invention is particularly advantageous in that the process of network acquisition can be reduced by searching cells based on a pattern of travel/usage, or cells that were in existence at the time of network loss for first and second instances. This aspect in combination with the order of the method, denoted by steps a-g, and the loop steps, denoted by f and g, constitute the novelty of the invention.

With respect to independent claim 17, the limitations of claim 1 are incorporated with additional steps for organizing and searching the cell search list and specific steps to be performed on "turn off" and "turn on" of a radio communications device.

Accordingly, Applicant's claims are allowed for these reasons and for the reasons recited by the Applicant in the previously filed arguments/remarks.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Itazu et al. (US 6,775,543) – Itazu discloses a method and apparatus for cellular phone failure judgment (abstract). Itazu teaches, "storing first and second separate instances of network loss" as can be seen in figure 2. However, the invention pertains to utilizing communication history information of the cellular phone to indicate failure situations to a reporter without any wireless measurement by the network (column 1,

lines 24-39). Itazu does not teach or suggest performing a method of network acquisition or a cell search based on these records and does not any motivation to combine with prior art cell search methods.

Attimont et al. (US 7,149,518) – Attimont discloses a method of connecting to a radio communication network a terminal that is in standby mode because of temporary unavailability of a signal (abstract). Attimont teaches the scanning of available frequencies placed in memory by the terminal just before it entered a network loss, or standby mode (column 5, lines 19-35). Although a scan of previously available frequencies teaches, “storing of cell details”, Attimont does not teach that these frequencies are stored for at least first and a second separate instance of network loss.

Ham et al. (US 6,633,760) - Ham discloses a method for reconnection of a dropped call in a mobile communication system (title). Ham teaches that when a traffic channel is disconnected, reconnection is attempted using received information from the network (figure 5). However, Ham does not teach that reconnection is performed based on a stored list of cell details to which the device was connected at time of loss of the network for at least prior first and second separate instances of network loss.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Huynh whose telephone number is 571-272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NTH
6/22/07


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